

TO TRANSFER A PARCEL OF LAND TO THE TAOS PUEBLO
INDIANS OF NEW MEXICO

JANUARY 27, 1995.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

REPORT

[To accompany H.R. 101]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 101) to transfer a parcel of land to the Taos Pueblo Indians of New Mexico, having considered the same report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. LAND TRANSFER.

(a) **TRANSFER.**—The parcel of land described in subsection (b) is hereby transferred without consideration to the Secretary of the Interior to be held in trust for the Pueblo de Taos. Such parcel shall be a part of the Pueblo de Taos Reservation and shall be managed in accordance with section 4 of the Act of May 31, 1933 (48 Stat. 108) (as amended, including as amended by Public Law 91-550 (84 Stat. 1437)).

(b) **LAND DESCRIPTION.**—The parcel of land referred to in subsection (a) is the land that is generally depicted on the map entitled “Lands transferred to the Pueblo of Taos—proposed” and dated September 1994, comprises 764.33 acres, and is situated within sections 25, 26, 35, and 36, Township 27 North, Range 14 East, New Mexico Principal Meridian, within the Wheeler Peak Wilderness, Carson National Forest, Taos County, New Mexico.

(c) **CONFORMING BOUNDARY ADJUSTMENTS.**—The boundaries of the Carson National Forest and the Wheeler Peak Wilderness are hereby adjusted to reflect the transfer made by subsection (a).

(d) **RESOLUTION OF OUTSTANDING CLAIMS.**—The Congress finds and declares that, as a result of the enactment of this Act, the Taos Pueblo has no unresolved equitable or legal claims against the United States on the lands to be held in trust and to become part of the Pueblo de Taos Reservation under this section.

PURPOSE OF THE BILL

The purpose of H.R. 101, as amended, is to transfer 764.33 acres of the Wheeler Peak Wilderness to the Secretary of the Interior to be held in trust for the Pueblo de Taros Indians.

BACKGROUND AND NEED FOR LEGISLATION

H.R. 101 would transfer to the Pueblo de Taros in New Mexico, 764.33 acres of Carson National Forest lands that are within the congressionally designated Wheeler Peak Wilderness. The lands would be transferred without compensation in either cash or land.

The lands are known as the Bottleneck tract and are surrounded on three sides by lands already owned by the Pueblo. The adjacent Pueblo lands are known as the Blue Lake Wilderness. The lands for this tribal wilderness were given to the Pueblo in 1970 by Public Law 91-550. The 1970 Act requires the Pueblo to manage Blue Lake to be "forever wild" and the Act references the definition of wilderness found in Section 2(c) of the Wilderness Act of 1964. As part of the Wheeler Peak Wilderness, the Bottleneck lands currently are managed under the provisions of the Wilderness Act.

H.R. 101 directs the Bottleneck be managed under the 1970 Act once it is transferred to the Pueblo. The Pueblo has stated that its intent is to manage the Bottleneck as part of its Blue Lake Wilderness. The Blue Lake area, including the Bottleneck, is sacred to the Pueblo and is used for religious ceremonial purposes. A sacred trail known as that Trail of Life crosses the Bottleneck. From the Bottleneck, the general public can look down at Blue Lake, making it difficult to maintain privacy for religious ceremonies. There is a long history of controversy as to the ownership of the Bottleneck and adjacent lands.

COMMITTEE ACTION

H.R. 101 was introduced on January 4, 1995, by Mr. Richardson, and referred to the Committee on Resources. The Committee retained the bill at Full Committee. The bill, as amended, was ordered reported by the Committee to the House of Representatives on January 18, 1995, by unanimous voice vote.

SECTION-BY-SECTION ANALYSIS

Section 1 has four subsections. Subsection (a) transfers the lands known as the Bottleneck tract to the Secretary of the Interior to be held in trust for the Pueblo de Taros. It directs that these lands be managed in accordance with section 4 of the Act of May 31, 1933 (48 Stat. 108) as amended, including as amended by Public Law 91-550 (84 Stat. 1437).

Subsection (b) describes the lands to be transferred and references a map.

Subsection (c) adjusts the boundaries of the Carson National Forest and the Wheeler Peak Wilderness.

Subsection (d) states that this transfer of land completes the transfer effected by Section 4 of the Act of May 31, 1933, as amended, particularly as amended in 1970. The Committee intends that this Act bring closure to the Pueblo's claims for National Forest lands in and around the Blue Lake area.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Pursuant to clause 2(l)(3) of rule XI of the Rules of the House of Representatives and clause 2(b)(1) of rule X of the Rules of the House of Representatives, the Committee's oversight findings and recommendations are contained in the body of this report.

INFLATIONARY IMPACT STATEMENT

Pursuant to clause 2(l)(4) of rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment of H.R. 101 will have no significant inflationary impact on prices and costs in the operation of the national economy.

COST OF THE LEGISLATION

Clause 7(a) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out H.R. 101. However, clause 7(d) of that Rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 403 of the Congressional Budget Act of 1974.

COMPLIANCE WITH HOUSE RULE XI

1. With respect to the requirement of clause 2(l)(3)(B) of rule XI of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, H.R. 101 does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

2. With respect to the requirement of clause 2(l)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform and Oversight on the subject of H.R. 101.

3. With respect to the requirement of clause 2(l)(3)(C) of rule XI of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for H.R. 101 from the Director of the Congressional Budget Office.

CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, January 24, 1995.

Hon. Don Young;
*Chairman, Committee on Resources,
House of Representatives, Washington DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has reviewed H.R. 101, a bill to transfer a parcel of land to the Taos Pueblo Indians of New Mexico, as ordered reported by the House Committee on Resources on January 18, 1995. CBO estimates that H.R. 101 would have no significant impact on the federal budget and no impact on the budgets of state and local governments. Be-

cause enactment of H.R. 101 would not affect direct spending or receipts, pay-as-you-go procedures would not apply to the bill.

H.R. 101 would transfer to the Secretary of the Interior 764 acres of Carson National Forest lands, which would be held in trust for the Pueblo de Taos and be part of the Pueblo de Taos Reservation. The bill would not result in the loss of timber receipts because the land is currently managed under the Wilderness Act of 1964, which prohibits the extraction of natural resources.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Theresa Gullo.

Sincerely,

ROBERT D. REISCHAUER, *Director*.

CHANGES IN EXISTING LAW

If enacted, H.R. 101 would make no changes in existing law.

DEPARTMENTAL REPORTS

The Committee has received no departmental reports on H.R. 101.

